

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA

§

v.

§

CASE NO. 4:11CR176(1)

DEMONT M. HERROD

§

§

§

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 25, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the court GRANT Defendant's *Pro Se* Omnibus Motion to Dismiss Counsel (Dkt. 65) as to Defendant's request to proceed *pro se* and DENY the motion as to Defendant's motion to withdraw his plea (*see* Dkt. 71).

The court has made a *de novo* review of the objections raised by Defendant (Dkt. 77) and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendant's *Pro Se* Omnibus Motion to Dismiss Counsel (Dkt. 65) is GRANTED as to Defendant's request to proceed *pro se* and DENIED as to Defendant's motion to withdraw his plea.

**IT IS SO ORDERED.**

**SIGNED this the 14th day of June, 2013.**

  

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**RICHARD A. SCHELL**  
**UNITED STATES DISTRICT JUDGE**